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OFFICE OF PETITIONS

In re Application of
Kim et al.
Application No. 10/781,037
Filed: 02/18/2004
Attorney Docket No. 5000-1-426

DECISION ON PETITION

This is a decision on the "PETITION TO WITHDRAW ERRONEOUS TERMINAL DISCLAIMER," filed July 26, 2007.

Applicants explained that they filed a terminal disclaimer on February 26, 2007, to overcome an obviousness-type double patenting rejection in view of U.S. Patent 7,133,609 to Kim, which is commonly owned and assigned to the assignee of the present application. Specifically, applicants stated: "Applicant, inadvertently and through no deceptive intent, filed the Terminal disclaimer on February 26, 2007 listing U.S. Patent 6,519,060 to Liu as the patent to which the present application is tied to via Terminal Disclaimer." Thus, applicants requested that the Office withdraw terminal disclaimer filed on February 26, 2007, and enter the new terminal disclaimer submitted on July 26, 2007.

As the examiner has concurred, the requested relief can be favorably considered. Accordingly, the petition is granted.

The \$400.00 petition fee will be charged to applicants' Deposit Account, as authorized.

This matter is being referred to Technology Center Art Unit 2613 for correction of PALM and file records consistent with this decision.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3211.

C. T. Donnell

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